

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:10-CV-231-FL

CELESTE G. BROUGHTON,

Plaintiff,

v.

W. SIDNEY ALDRIDGE, JR., et al.,

Defendants.

ORDER

This matter is before the court on plaintiff's motion to seal the court's order entered November 17, 2010 (DE # 113). A motion to seal all or part of the record on appeal is to be presented to and resolved by the lower court "during the course . . . of [the] proceedings below." Local Appellate Rule 25(c)(2). Plaintiff's motion to seal was filed five months after this court entered judgment and two months after she noticed her appeal. The rules contemplate that a motion to seal will be filed with the court of appeals if "the need to seal all or part of the record on appeal arises in the first instance during the pendency of an appeal." Local Appellate Rule 25(c)(2)(A)(ii). The court is without jurisdiction to address plaintiff's motion, see Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982), which must be and is DENIED.

SO ORDERED, this the 23rd day of May, 2011.


LOUISE W. FLANAGAN
Chief United States District Court Judge